

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal No. 07-cr-218-1-SM

Richard Porter

**O R D E R**

After hearing, and given the parties' stipulation admitting Dr. Drukteinis's evaluation report dated October 16, 2008, I find that the defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Accordingly, the defendant is committed to the custody of the Attorney General for hospitalization and treatment in a suitable facility, as provided for in 18 U.S.C. § 4241(d).

The court recommends that the Bureau of Prisons consider designating the medical facility at Fort Devens, Massachusetts as the place of treatment to facilitate defendant's contact with family members.

**SO ORDERED.**

  
Steven J. McAuliffe  
Chief Judge

October 29, 2008

cc: Robert M. Kinsella, Esq., AUSA  
Jeffrey S. Levin, Esq.  
U.S. Probation  
U.S. Marshal